

**Notice of Allowability**

Application No.

10/080,813

Examiner

Reginald G. Bragdon

Applicant(s)

COKER ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 23 May 2005 and the telephone interview of 21 June 2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 14 May 2002 and 20 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Randall K. McCarthy (#39,297) on 21 June 2005.

2. The application has been amended as follows:

#### In the Claims

In claim 1, line 5, "the previous" should be --a previous--.

In claim 7, line 2, "recordable" should be --data storage--.

In claim 8, line 2, "recordable" should be --data storage--.

In claim 9, line 2, --recording-- should be added before "medium".

In claim 9, line 6, --read-- should be added after "each data".

In claim 9, line 9, "the previous" should be --a previous--.

In claim 9, line 9, add --,-- after "command".

In claim 9, line 10, add --wherein-- before "each".

In claim 9, line 10, delete "and".

In claim 13, line 10, "the previous" should be --a previous--.

In claim 13, line 11, --first-- should be added before "mode".

In claim 18, line 2, "recordable" should be --storage--.

***Information Disclosure Statement***

3. The Information Disclosure Statement(s) received 23 May 2005 has been considered.

Please see the attached PTO-1449(s).

Documents AN-AR were previously considered and have been crossed off the PTO-1449.

4. Applicant's petition filed 14 February 2005 is noted, but is moot in view of the filing of the Request for Continued Examination on 23 May 2005.

***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art of record, alone or in combination, does not teach or suggest a "data sector range of each consecutive read command is non-sequential with respect to the data sector range of a previous read command in said sequence" in combination with the other elements of the claim.

With respect to claim 9, the prior art of record, alone or in combination, does not teach or suggest "each data read command has an associated data sector address range and the data sector range of each consecutive read command is non-sequential with respect to the data sector range of a previous read command" in combination with the other elements of the claim.

With respect to claim 13, the prior art of record, alone or in combination, does not teach or suggest "address ranges associated with a sequence of recently received commands, each said

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range being non-sequential with respect to a previous range of said sequence" in combination with the other elements of the claim.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald G. Bragdon whose telephone number is (571) 272-4204. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and every other Friday from 7:00 AM to 3:30 PM.

The examiner's supervisor, Mano Padmanabhan, can be reached at (571) 272-4210.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RGB  
June 21, 2005

*Reginald G. Bragdon*  
Reginald G. Bragdon  
Primary Patent Examiner  
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